



Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING
CITY HALL
TUESDAY, JANUARY 19, 2016
6:00 O'CLOCK P.M.**

I. Meeting Called to Order

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

II. Unfinished Business Requiring Council Action

- A. Second Reading of an Ordinance entitled "ORDINANCE NO. ___, 2016, AN ORDINANCE AMENDING ORDINANCE NO. 16, 2015 ENTITLED 2016 SALARY ORDINANCE." Mary Ferdon

III. New Business Requiring Council Action

- A. Reading of an Ordinance entitled "ORDINANCE NO. ___, 2016 AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM RS3 (RESIDENTIAL: SINGLE-FAMILY_ TO Pc (PUBLIC / SEMI-PUBLIC FACILITIES WITH COMMITMENTS)." (The Sanctuary Rezoning) Jeff Bergman
- B. Reading of a Resolution entitled "RESOLUTION NO. ___, 2016 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS TO AUTHORIZE THE CLERK-TREASURER TO MAKE A TRANSFER OF APPROPRIATIONS PURSUANT TO I.C. 6-1.1-18-6." Matt Caldwell

IV. Other Business

- A. Standing Committee and Liaison Reports
- B. The next regular meeting is scheduled for **Tuesday, February 2, 2016, 6:00 p.m. in City Hall.**
- C. Adjournment



MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP
on behalf of the Columbus Plan Commission

DATE: January 12, 2016

RE: RZ-15-10 (*The Sanctuary Rezoning*)

At its December 9, 2015 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 8 in favor and 0 opposed.

The Sanctuary church, currently located at 3939 Central Avenue, proposes to change the zoning classification of the property to the east of their facility to "P" (Public/Semi-public Facilities). This 8.08 acre property is currently zoned "RS3" (Residential: Single-Family). The applicants have indicated that the rezoning will enable a significant expansion of their church building and parking area.

Several homeowners in the adjacent Breakaway Trails neighborhood spoke at the Plan Commission's public hearing on this request. They expressed concerns about the traffic generated by the church generally and traffic congestion on Pinewood Drive. The Sanctuary currently obtains access from Pinewood.

During the discussion with the Plan Commission, the representatives of The Sanctuary indicated their intent to re-locate their driveway on Pinewood to move it further from the intersection with Central Avenue. The Sanctuary also committed that any access to Pawnee Trail (a residential street inside Breakaway Trails upon which the property also has frontage) would be emergency access only in order to minimize traffic through the neighborhood. Both The Sanctuary and the neighbors inquired about prohibiting parking on the north side of Pinewood Drive to reduce congestion along that street.

The requested "P" zoning district is one of the two zoning districts in Columbus that provide for Plan Commission, rather than staff, review of the detailed site plans for new development. Therefore, the details of any church expansion on the property (access, buffering, parking, etc.) will be reviewed by the Plan Commission in a later public hearing.

In making their favorable recommendation, the Commission indicated to the applicants that a resolution to the traffic concerns would be expected at the time their site plan is considered. The Commission also asked the City Engineer's Office to examine the on-street parking in the area. The Plan Commission also attached two commitments to the rezoning, which would be binding on any future development: (1) access on Pawnee Trail shall be emergency access only and (2) the uses of the property were restricted to those which were deemed most compatible with the adjacent residential neighborhood.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,

3. a copy of the Planning Department staff report prepared for the Plan Commission hearing,
4. a location map, and
5. supporting material provided by the applicant.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: _____, 2016

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY
FROM "RS3" (RESIDENTIAL: SINGLE-FAMILY)
TO "Pc" (PUBLIC / SEMI-PUBLIC FACILITIES WITH COMMITMENTS)**

**To be known as: The Sanctuary Rezoning
Plan Commission Case No.: RZ-15-10**

WHEREAS, this rezoning was requested by The Sanctuary and includes the consent of all owners of the subject property; and

WHEREAS, the Columbus Plan Commission did, on December 9, 2015, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "RS3" (Residential: Single-Family) to "Pc" (Public / Semi-Public Facilities with commitments)

Block "A" in Breakaway Trails, Section One, as recorded in Plat Book "Q" page 83A in the Office of the Recorder of Bartholomew County, Indiana.

SECTION 2: Commitment(s)

The use and development of the subject property shall be subject to the following commitments:

1. The uses of the property shall be limited to the following: nursing home / assisted living facility, retirement facility, community garden, day care center (adult or child), library, worship facility, nature preserve / conservation area, institutional facility for the developmentally disabled / mentally ill, and park/playground.
2. Vehicular access to and from Pawnee Trail shall be limited to emergency access only.

SECTION 3: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 4: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2016 at _____ o'clock _____.m., by a vote of _____ ayes and _____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2016 at _____ o'clock _____.m.

James D. Lienhoop
Mayor of the City of Columbus, Indiana

RESOLUTION: RZ-15-10

of the City of Columbus, Indiana Plan Commission

regarding

Case number RZ-15-10

(The Sanctuary Rezoning),

a proposal to rezone +/-8.08 acres from

RS3 (Residential: Single-family) to P (Public / Semi-Public Facilities)

WHEREAS, the Plan Commission has received the application referenced above from The Sanctuary; and

WHEREAS, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

WHEREAS, the Plan Commission did, on December 9, 2015, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

WHEREAS, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 8.08 acres located on the north side of Pinewood Drive, east of Central Avenue) is forwarded to the Common Council with a favorable recommendation. That recommendation includes the following commitments:
 - a) The uses of the property shall be limited to the following: nursing home / assisted living facility, retirement facility, community garden, day care center (adult or child), library, worship facility, nature preserve / conservation area, institutional facility for the developmentally disabled / mentally ill, and park/playground.
 - b) Vehicular access to and from Pawnee Trail shall be limited to emergency access only.
- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 9th DAY OF, DECEMBER 2015 BY A VOTE OF 8 IN FAVOR AND 0 OPPOSED.

Signed Copy on File in the Planning Department

Roger Lang, President

ATTEST:

Signed Copy on File in the Planning Department

David L. Fisher, Secretary

Prepared by the City of Columbus - Bartholomew County Planning Department
Jeffrey R. Bergman, AICP #014602 - Planning Director



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (December 9, 2015 Meeting)

Docket No. / Project Title: RZ-15-10 (The Sanctuary)
Staff: Ashley Klingler
Applicant: The Sanctuary
Property Size: 8.08 Acres
Current Zoning: RS3 (Residential: Single-Family 3)
Proposed Zoning: P (Public/Semi-Public Facilities)
Location: The property is located approximately 400 feet east of the intersection of Central Avenue and Pinewood Drive, on the north side of Pinewood Drive, in the City of Columbus.

Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of expanding the existing worship facility on the neighboring property.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application:

1. What are the appropriate uses at this location? Should the permitted uses be limited?
2. Should there be a buffer requirement along areas near adjacent homes?
3. Should access be limited along Pawnee Trail?

Preliminary Staff Recommendation:

Favorable recommendation to the City Council. All criteria have been met with the following commitments:

1. The uses of the property shall be limited to the following: nursing home / assisted living facility; retirement facility; community garden; day care center (adult or child); library; worship facility.
2. Vehicular access to and from Pawnee Trail shall be limited to emergency access only.

Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend that conditions or commitments be attached to the rezoning request. The City Council makes all final decisions regarding rezoning applications.

Decision Criteria:

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

The Comprehensive Plan.

Preliminary Staff Comments: The Future Land Use Map indicates the future use of this property as residential. Certain public facilities, such as worship facilities, schools, etc. are conducive around

residential zoning, especially where access can be obtained from collector or arterial streets. Central Avenue (Minor Arterial, Suburban, Residential) is close to the subject property and provides added circulation for vehicles coming to and from this location.

The current conditions and the character of current structures and uses in each district.

Preliminary Staff Comments: The surrounding uses are mostly residential; they are single family homes in the "RS3" zoning district. There is a worship facility directly to the west of the subject property. There is an assisted living facility to the north of the subject property in the Columbus Airpark PUD.

The most desirable use for which the land in each district is adapted.

Preliminary Staff Comments: The P (Public/ Semi-public) zoning district is intended to provide facilities properly integrated into the city. There are both residential uses and institutional uses adjacent to the subject property. There is also a high-volume street (Central Avenue) near the subject property. This helps with circulation to and from the site.

The conservation of property values throughout the jurisdiction of the City of Columbus.

Preliminary Staff Comments: The worship facility provides a public use which will serve the community as a whole and not adversely affect property values. The areas of the subject property that are directly next to the "RS3" zoning district will be equipped with a Buffer Yard Type B (per Zoning Ordinance Table 8.3) to help screen the use from neighboring residences.

Responsible growth and development.

Preliminary Staff Comments: This property is vacant, but is surrounded by development. The property should be considered an infill site and its development would represent a responsible growth pattern. Due to the required screening and access to Central Avenue, public facility at this location can be compatible with surrounding uses.

Current Property Information:	
Land Use:	Undeveloped.
Site Features:	The property is currently undeveloped and has a grassy lawn.
Flood Hazards:	No flood hazards onsite.
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	Airport Hazard Area. The subject property is in the Airport Hazard Area but not in the Critical Approach Zone. This means the subject property has to meet restrictions on radio interference and glare.
Vehicle Access:	Pinewood Drive (Local, Suburban, Residential) Pawnee Trail (Local, Suburban, Residential)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	PUD (Airpark Planned Unit Development)	Silver Oaks Health Campus (assisted living and therapy)
South:	RS3 (Residential: Single-Family 3)	Single-family Residences

East:	RS3 (Residential: Single-Family 3)	Single-family Residences
West:	P (Public/Semi-Public Facilities)	The Sanctuary (worship facility)

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: RS3	Proposed Zoning: P
Zoning District Intent:	The "RS3", Single-Family 3 zoning district is intended to provide areas for moderate to high density single-family residences in areas with compatible infrastructure and services. Such development should also provide residents with convenient access to Collector and Arterial streets, parks and open space, employment, and convenience goods.	The "P", Public/Semi-Public Facilities zoning district is intended to provide locations for largescale public facilities, worship facilities, and concentrations of other public institutions. This district is further intended to provide a set of setbacks and other requirement that respond to the unique scale and other considerations common to these types of uses.

Permitted Uses:	<ul style="list-style-type: none"> • Residential Uses: dwelling, single-family • Park Uses: nature preserve / conservation area 	<ul style="list-style-type: none"> • nursing home / assisted living facility • retirement facility • communications service • exchange • cemetery • clinic • community center • community garden • day care center (adult or child) • government office • hospital • institution for the • developmentally disabled / • mentally ill • library • private club • museum • parking lot / garage (as a primary use) • police, fire, or rescue station
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		<ul style="list-style-type: none"> • post office • school (grades pre-school through 12) • trade or business school • university or college • worship facility • golf course • nature preserve / conservation area • park / playground • conference center • health spa • instructional center • retreat center
Water and Sewer Service:	Required.	Required.
Lot and/or Density Requirements:	Min Lot Size: 7,200 sq. ft. Max Density: 5 Dwelling Units per Acre	Min Lot Size: 20,000 sq. ft. Max Density: None.
Setbacks Required: Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	Side Yard Setback: 5 feet Rear Yard Setback: 5 feet Front Yard Setback: 10 feet No Buffering Required.	Side Yard Setback: 10 feet Rear Yard Setback: 10 feet Front Yard Setback: 10 feet Buffer Yard Type B required between "P" zoning and surrounding "RS3" zoning.
Height Restrictions:	Primary Structure: 40 feet Accessory Structure: 25 feet	Primary Structure: 45 feet Accessory Structure: 25 feet
Floor Area Requirements:	Minimum Ground Floor Living Area: 40%	Not Applicable.

Signs:	<p>The following signs are permitted:</p> <ul style="list-style-type: none"> • Development Entry <p>The following signs are conditional:</p> <ul style="list-style-type: none"> • Wall • Freestanding • Awning • Changeable Copy • Directional • Directory • Window • Banner • Inflatable • Beacon 	<p>The following signs are permitted:</p> <ul style="list-style-type: none"> • Wall • Freestanding • Development Entry • Changeable Copy • Time & Temp • Awning • Directional • Directory • Window • Flag • Banner • Inflatable • Beacon
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Interdepartmental Review:	
City Engineering:	No comments on the rezoning at this time.
Code Enforcement:	No issues with this proposal.
City Utilities:	No comments provided.
City Fire:	No comments provided.

History of this Location:

The relevant history of this property includes the following: The subject property has been zoned "RS3" Residential Single-Family for many years. It was originally a part of the Breakaway Trails subdivision preliminary plat. In 2008, the neighboring property (The Sanctuary) was rezoned from Special Use (SU) to Public (P). Over the years, the subject property has remained zoned "RS3". The property also still continues to be undeveloped.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as Residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **GOAL A-1:** Maintain the small-city atmosphere as the community grows.
2. **GOAL A-3:** Provide individual accessibility to all community services and facilities.
3. **GOAL I-1:** Provide high-quality public facilities in locations which are convenient and accessible to local residents.

This property is located in the Western Rocky Ford Neighborhood character area. The following Planning Principle(s) apply to this application:

1. Single-family housing should continue to be the dominant land use in the area.
2. On National Road and on Central Avenue commercial development serving the community as a whole is appropriate, as these streets carry a significant amount of through traffic.

3. Where differing land uses are adjacent, such as airport operations and residences, the commercial development should be required to provide appropriate buffers, including increased setbacks, landscaping and fencing. Service areas should be screened from view, and noise and light levels should be consistent with residential standards.

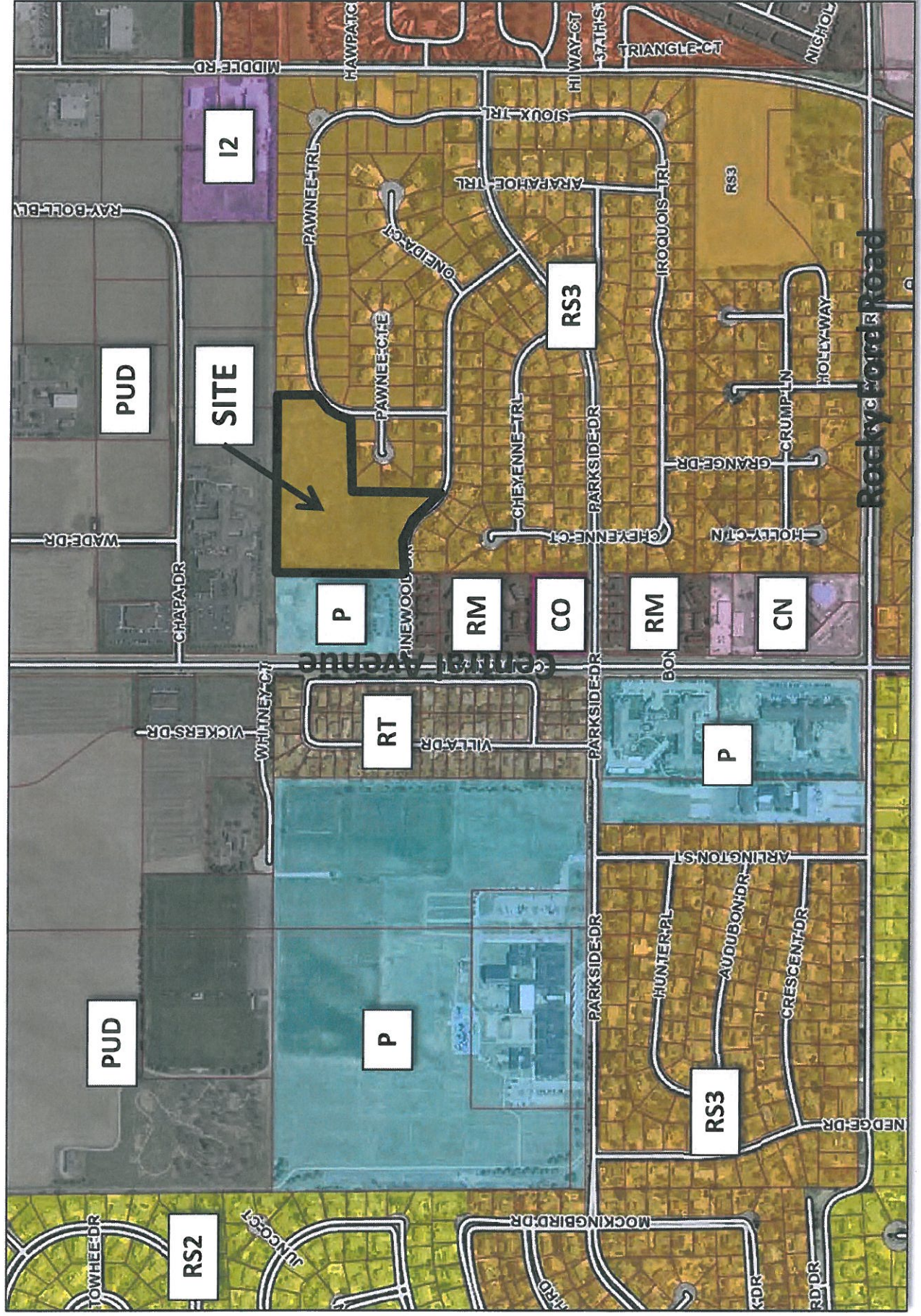
The subject property is located just off Central Avenue, but the property location is just outside the Central Corridor Plan.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicant understands that the discussion at plan commission will only relate to the rezoning of this property from "RS3" to "P". The applicant wants to illustrate that the rezoning of the property is needed for the future building expansion for the adjacent worship facility (The Sanctuary). The applicant has indicated that this property is intended to be used for an expanded parking lot. According to the applicant, there is not enough room on their current site for the building expansion and the required parking.
2. Not all Public/Semi-Public uses are appropriate at this site. The following is a list of limited uses that are more consistent with the nature of the surroundings: nursing home / assisted living facility; retirement facility; community garden; day care center (adult or child); library; worship facility. The applicant is agreeable to these limited uses.
3. There are some areas that, according to Zoning Ordinance Section 8.2(E), require a Buffer Yard Type B. A Buffer Yard Type B is to be 15 feet wide. It is to have a minimum of 65 landscaping points, which is approximately 3 trees or 9 shrubs, per every 50 linear feet of buffer yard required. The buffer yard requirement in the Zoning Ordinance is based on the neighboring zoning. If this property was rezoned to "P", a Buffer Yard Type B would be required adjacent to the neighboring "RS3" zoned properties. More specifically, the east and the south property lines adjacent to the neighboring residences. Buffering is not required where a street separates the subject property from "RS3" zoning.
4. The neighboring use to the north is the Silver Oaks Health Campus (assisted living and therapy). The property to the north is zoned "PUD" and thus does not require a buffer yard. On the property, there is an existing berm, and an existing tree line. This acts as a screening for the neighboring use. The applicant has indicated their intent to keep the tree line.
4. The subject property has frontage on both Pinewood Drive and Pawnee Trail. The frontage on Pinewood Drive is adjacent to the church and within 800 feet of Central Avenue. Central Avenue is a Minor Arterial, Suburban, Residential Street; it is intended to carry high-volume traffic through the City. The frontage on Pawnee Trail is located inside the neighboring subdivision. Pawnee Trail is farther from a major street (like Central). It is less of a through street and primarily provides access to residences. It may be appropriate to limit the traffic on Pawnee Trail, by limiting access from the subject property to Pawnee Trail. The access could be restricted to allow only emergency access. The church is agreeable to limited access to Pawnee Trail.
5. The "P" zoning district is a "site development plan" district. This means that the site plan for the development of the property will be subject to the review and approval of the Plan Commission. During that review the commissioners can require additional buffering, further deny access and/or waive any requirements. The Plan Commission's review of the site development plan is a public hearing and notice would be provided to neighboring property owners.

Property Location & Surrounding Zoning



The Sanctuary Rezoning



RESOLUTION NO. _____, 2016

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS TO AUTHORIZE THE CLERK-TREASURER TO MAKE A TRANSFER OF APPROPRIATIONS PURSUANT TO I.C. 6-1.1-18-6

WHEREAS, certain conditions have developed since the adoption of the existing annual budget for the year 2015 and it is now necessary to transfer appropriations into different categories than was appropriated in the annual budget for Community Development, Animal Care Services and Human Resources; and

WHEREAS, it has been shown that certain existing appropriations have balances which were available for transferring as follows:

Community Development Budget:
FROM: Other Services and Charges, 300
TO: Personal Services, 100
SUM: \$2,476

Animal Care Service Budget:
FROM: Other Services and Charges, 300
TO: Personal Services, 100
SUM: \$4,785

Human Resources Budget:
FROM: Other Services and Charges, 300
TO: Personal Services, 100
SUM: \$2,014

NOW THEREFORE BE IT RESOLVED BY THE COLUMBUS COMMON COUNCIL THAT a transfer of an appropriation from the Community Development Other Services and Charges category in the amount of \$2,476.00 to the Community Development Personal Services category, Animal Care Services Other Services and Charges category in the amount of \$4,785.00 to the Animal Care Services, and Human Resources Other Services and Charges category in the amount of \$2,014.00 to the Human Resources Personal Services category is hereby authorized.

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Columbus, Indiana's Clerk-Treasurer is authorized to take any and all actions necessary to effectuate such transfer.

ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA, on
this ____ day of January, 2016, by a vote of ____ ayes and ____ nays.

James D. Lienhoop, Mayor
Presiding Officer of the Common Council

ATTEST:

Luann G. Welmer
Clerk of the Common Council